

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

DOWNS FORD, INC.,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE COMPANY,  
ABC CORPS. 1-5 (fictitious names whose identities  
are currently unknown),

Defendants.

Civil Action No. 20 cv 8595 BRM-ZNQ

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on Monday, August 17, 2020, at 9:00 a.m., or as soon thereafter as counsel may be heard, defendant Zurich American Insurance Company (“Zurich”) will move before the Honorable Brian R. Martinotti, U.S.D.J, at the Clarkson S. Fisher Federal Building and U.S. Courthouse, 402 E. State Street, Trenton, New Jersey, for an Order dismissing the Complaint herein pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that in support of the motion, Zurich intends to rely on the July 17, 2020 Declaration of Philip C. Silverberg and the Memorandum of Law submitted herewith. Oral argument of this motion is requested.

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& GREENGRASS LLP**  
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Dated: July 17, 2020